



Toronto
Lobbyist Registrar

ANNUAL REPORT OF THE
OFFICE OF THE LOBBYIST REGISTRAR
FOR THE YEAR 2017

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Table of Contents

Message from the Lobbyist Registrar	1
Recognizing Ten Years of Lobbying Regulation.....	1
Mandate of the Office of the Lobbyist Registrar.....	1
Role of the Office of the Lobbyist Registrar	1
Legislative Framework	2
Building Trust in City Government	2
Leaders in Lobbying Regulation	3
Enhancements to the Lobbying By-law Provisions	3
Public Disclosure of Lobbying Activity through the Registry	4
Investigations and Enforcement	6
Education and Outreach	6
Recognition of the Contribution of the OLR Staff Team.....	7
The Memorandum of Understanding Between the Four Accountability Offices.....	7
Support from the OLR Stakeholder Community	8
Looking Towards the Future	8
Report on Activities in 2017	9
Reports to Council on Inquiries.....	9
Interpretation Bulletins and Advice	10
Changes to the Regulatory Framework	11
New Enhancements to the Lobbying By-law	11
Open Data	12
Improvement to the Online Registry through the State of Good Repair Project (SOGR)	12
Staff	13
Registry Services.....	14
Registration Statistics.....	14
Website	18
Inquiries and Investigations	20
Education and Outreach to All Stakeholders	23
Office of the Lobbyist Registrar Budget	25
Financial Information.....	25

Message from the Lobbyist Registrar

I am pleased to provide the Annual Report for the Office of the Lobbyist Registrar (OLR) for the period of January 1 to December 31, 2017. This is the 10th Annual Report to Toronto City Council (Council) of the OLR. The purpose of this report is to outline activities and key accomplishments in satisfaction of the OLR's mandate.

Recognizing Ten Years of Lobbying Regulation

In 2017, the OLR reached an important milestone – its Tenth Anniversary. The OLR was established in 2007 as the regulator of lobbying activity for the City of Toronto. The Lobbying By-law (By-law) was passed on February 6, 2007, and the Lobbyist Registry (Registry) was launched on February 11, 2008 as the first municipal lobbyist registry in Canada. I invite you to share in the OLR's many accomplishments over these past ten years in ensuring public disclosure of lobbying activities and in overseeing the regulation of lobbyists' conduct. In addition to reporting on activities for this year, this report will also highlight the important achievements that this office has made, not just in 2017 but also over the past decade, in furtherance of its mandate.

Mandate of the Office of the Lobbyist Registrar

Role of the Office of the Lobbyist Registrar

As Lobbyist Registrar (Registrar), my duties are to promote and enhance transparency through administering and upholding the By-law in the public interest. The Registrar is an Accountability Officer established by the City of Toronto to promote and enhance the transparency and integrity of City government decision-making by regulating lobbying activity in the public interest. The OLR mandate ensures transparency by overseeing the public disclosure of lobbying activities and adherence to the Lobbyists' Code of Conduct (Code of Conduct).

The two important tools in the By-law which guarantee transparency and integrity are the Registry and the Code of Conduct. The By-law's disclosure requirement ensures that lobbying activities at the City are transparent. The Code of Conduct sets out the high ethical standards that are expected of lobbyists when they communicate with Toronto Public Office Holders (POHs).

Legislative Framework

The *City of Toronto Act, 2006* (COTA), Toronto Municipal Code Chapter 140, Lobbying, and Toronto Municipal Code Chapter 3, Accountability Officers, outline the legislative authority and statutory requirements for the OLR.

Ethical and transparent lobbying is a central component to a responsive City government which encourages civic engagement and open democratic processes. The regulation of lobbying is the cornerstone to building public trust in City government decision-making processes. Lobbying is a legitimate activity, when disclosed publicly, and conducted with the ethical standards required by the City's Lobbying By-law. The preamble to the By-law states six principles which apply to the regulation of lobbying Toronto Public Office Holders:

- A. *The City government's duty to make decisions in the public interest should not be impeded;*
- B. *Open and unfettered access to City government is a vital aspect of local democracy;*
- C. *Lobbying public office holders is a legitimate activity;*
- D. *Public office holders and the public should be able to know who is attempting to influence City government;*
- E. *Public disclosure of lobbying activity and standards of conduct for lobbyists are important to the integrity of City government decision-making; and*
- F. *A system for the registration of lobbying activity and the regulation of the conduct of lobbyists should not impede access to the City government.*

These principles recognize that access to City government is vital to local democracy and reflect that lobbying is not restricted, but is instead regulated. Lobbying provides POHs with different viewpoints, opinions and specialized knowledge which can be useful to POHs in decision-making. The online Registry provides the public with a window into government decision-making. The Code of Conduct guarantees standards of conduct for lobbyists that promote public trust in government decision-making.

Building Trust in City Government

The OLR's mandate, to foster the disclosure of lobbying activities through the Registry, and to uphold the Code of Conduct, is a cornerstone of building trust in City government decision-making. Trust in City government decision-making is important to the

realization of the outcomes intended by City government decisions. Building trust increases the public's confidence in government and the public's support for City government decisions. As tools for transparency and instruments for civic engagement, the Registry and the Code of Conduct support core components for an open government, such as: Transparency, Participation, Accountability and Accessibility. The Registry and the Code of Conduct are important tools which contribute to the public's confidence in City processes and to the public's trust in government.

Leaders in Lobbying Regulation

The effectiveness of the regulatory regime outlined in the By-law is well recognized. Since its enactment, the By-law has been the model which other jurisdictions have emulated when establishing lobbying legislation or making improvements to existing legislative frameworks. Many jurisdictions across Canada and internationally have sought advice and expertise from Toronto's OLR.

The Organisation for Economic Co-operation and Development (OECD) has recommended [principles for transparency and integrity in lobbying](#) which are necessary for an effective model for the regulation of lobbying. Toronto's Lobbying By-law captures these principles in its framework. Specifically, "lobbying" communications and "lobbyist" are well defined; the online Registry of lobbyist activity is available to the public; concerns about a "revolving door" for POHs are addressed by a post-term prohibition of lobbying activities of one year past term; and ethical standards for lobbyists are entrenched in the By-law through the Code of Conduct. Lastly, the By-law contains enforcement measures to address non-compliance.

Enhancements to the Lobbying By-law Provisions

Reviews and improvements to the legislation have supported the efficacy of the OLR mandate. In 2016, the By-law's disclosure provisions were enhanced with the requirement that consultant lobbyists disclose their ultimate client. The Registrar's enforcement tools were also strengthened in that same year with the addition of the power to impose bans. In 2017, enforcement measures were expanded once again. The limitation period for prosecutions was extended to two years, from six months, and the authority to impose monetary penalties was granted.

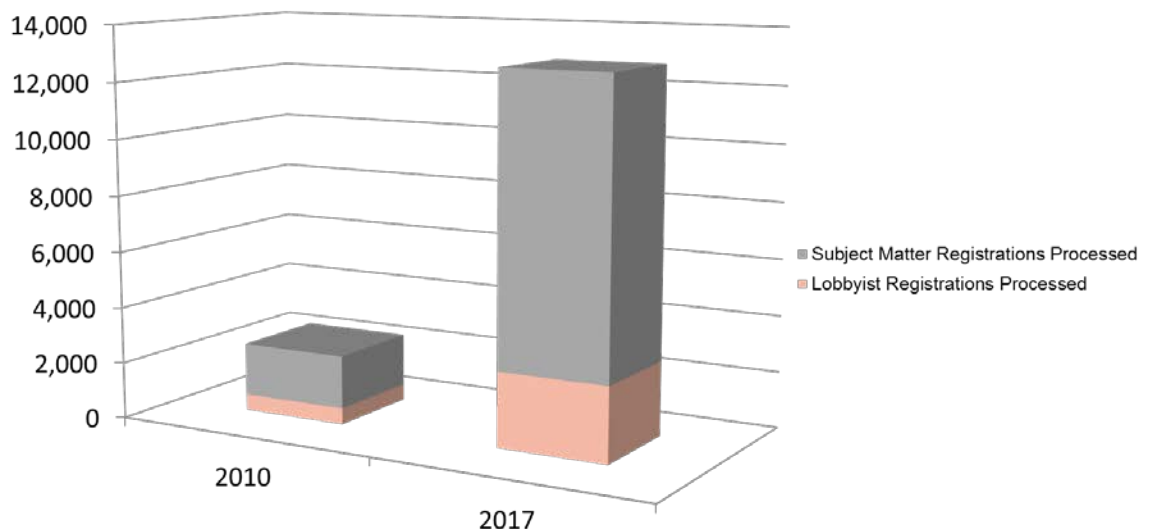
Public Disclosure of Lobbying Activity through the Registry

The online public Registry is the mechanism for the disclosure of lobbying activities. The Registry provides all of the information required of lobbyists by the By-law. Its search capabilities enable the public to explore its data fields in order to learn who is lobbying whom, and about what.

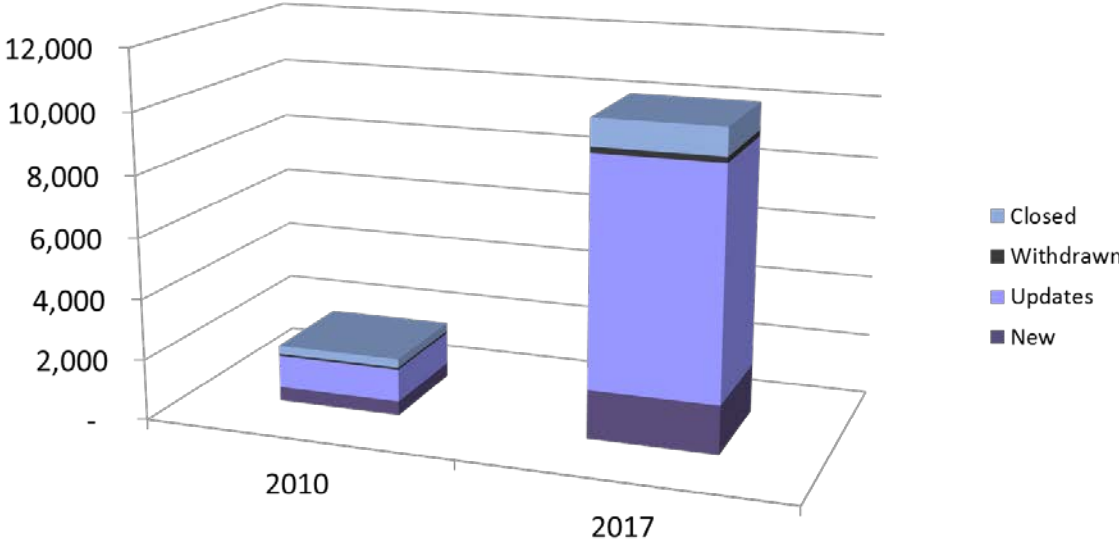
Recognizing the need to update and improve the online Registry and its search mechanisms, in March 2015, Council approved a State of Good Repair Project (SOGR) to upgrade the existing technology that drives the Registry. The SOGR is scheduled for completion in 2018. Once completed, the SOGR will enable the Registry to continue to function, comply with statutory obligations, meet requirements of users, and conform to City and industry technological standards. By updating the Registry's search capacity, the public can access the information in the Registry more effectively. Along with other pending improvements, there will be an addition of a mobile interface as an upgrade to the existing system. The completion of the SOGR will ensure that the Registry will be able to continue to deliver the transparency and accuracy required by the By-law. Its completion will also help to prevent undue delays in registration and reporting. The OLR is looking forward to completing the SOGR in 2018.

Since 2010, the number of registration transactions processed annually by our office has increased by 425% (from 2,443, to 12,828 in 2017); the number of registered lobbyists has increased by 65% (from 1,047, to 1,729 in 2017); the number of active subject matters has increased by 88% (from 1,424, to 2,679 in 2017).

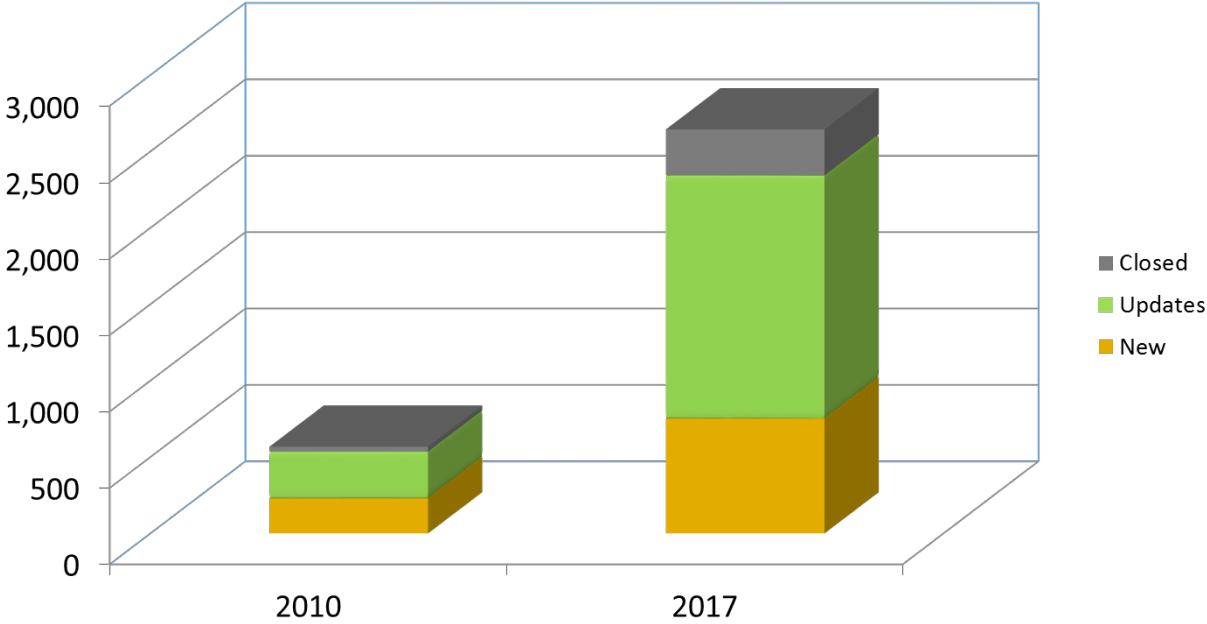
Registration Transactions Processed



Subject Matter Registrations Processed



Lobbyist Registrations Processed



Investigations and Enforcement

In 2011, the OLR's first investigative report was brought to Council. Since then, our office has brought 25 investigative reports to Council. Accountability to our citizens has been provided with the assurance that allegations of potential breaches will be reviewed in a neutral and fair manner and, where necessary in the public interest, appropriate penalties will be applied. These reports have also provided guidance and education for lobbyists about their obligations under the By-law. Lobbyists have demonstrated the willingness to comply with the By-law.

To prevent contraventions, the Inquiries and Investigations Unit responds to requests from lobbyists and provides comprehensive advice to lobbyists before communications with a POH occur. Furthermore, the Inquiries and Investigations Unit has recently undertaken early resolution measures to resolve complaints without the need for a full investigation with the co-operation of lobbyists. The net result of these initiatives is increased compliance and the ability to focus limited investigative resources on a smaller number of more complex complaints.

Recognizing the importance of enforcement tools for the OLR, Council expanded the power to investigate alleged breaches and increased the range of penalties available to it. As a result, the capacity of the OLR to enforce the By-law has been strengthened. In 2016, Council amended the By-law to grant the Registrar the authority to impose bans. Council also supported the additions of both the use of administrative monetary penalties as sanctions and the extension of the limitation period for prosecutions to two years from six months. These expanded tools came into place, with the full support of City Council in 2017, and with the full support of the province of Ontario, under the *Modernizing Ontario's Municipal Legislation Act, 2017* (Bill 68).

Since the adoption of the enhancements of Bill 68, the policy and operational requirements for their implementation have been under development in collaboration with the Offices of the City Solicitor and City Manager. In the future, once these new measures come to fruition, Toronto's OLR will have the broadest range of penalties anywhere in Canada, with a spectrum of compliance measures that includes all of these tools: terms and conditions imposed by the Registrar, bans, provincial prosecutions, and administrative monetary penalties.

Education and Outreach

From the beginning, the OLR has been dedicated to ensuring lobbyists understand their duties, and the public is aware of our mandate and has access to the Registry. Awareness of the By-law and its application by all stakeholders has contributed to the effectiveness of the regulatory model. For the past ten years, OLR staff have engaged

lobbyists, POHs, members of the public and the media in its mandate to promote an understanding of the By-law's provisions. Over the years, staff undertook numerous activities to provide outreach and education. Since 2013, 449 lobbyists have been trained by OLR staff. The OLR has published 31 interpretation bulletins, 1 advisory bulletin, and 2 guidelines on Planning Applications. Many other tools have been used by OLR staff to assist stakeholders in navigating their responsibilities under the COTA and the By-law, such as: presentations; responses to questions and requests for advice; webinars; online questionnaires; online tutorials; and use of the OLR website for updates and information. In 2017, the OLR expanded its use of social media to include multiple platforms, such as: LinkedIn, Twitter, Instagram and Facebook. Through the mandate-specific use of social media, the OLR looks forward to promoting its authority and services with a broader reach. Recognizing the importance of education and outreach, the OLR looks forward to continuing and improving these initiatives to ensure compliance and increase transparency.

Recognition of the Contribution of the OLR Staff Team

A review of the OLR's ten-year history would not be complete without acknowledging the outstanding efforts of the OLR's professional staff team in managing the regulation of lobbying. Throughout the years they have contributed to City government transparency. The staff have delivered the accountability intended by the By-law through: maintenance of the Registry; provision of advice and information to stakeholders; education and outreach activities; and, investigations and compliance measures.

The OLR has benefited from the depth of knowledge and experience of its staff. Over one-third of the staff have been with the OLR since 2007, and the remaining majority of staff members have served the OLR for greater than four years. In today's climate of ever-increasing demands for better transparency and continuous advances in technology, the expertise of OLR staff will enable the success of the OLR's mandate to continue. I am confident that the City's next decade of lobbying regulation will benefit immensely from the OLR staff team's professionalism and commitment. I look forward to continuing to work with this dedicated team of experienced staff.

The Memorandum of Understanding Between the Four Accountability Offices

Toronto's governance model is comprised of an accountability framework that includes the Offices of the Lobbyist Registrar, the Integrity Commissioner, the Ombudsman, and the Auditor General. Because of separate mandates and statutory duties for each of

the Accountability Officers, each is required to execute their respective mandates independently of one another. However, our offices work cooperatively in the public interest. On October 19, 2015, a Memorandum of Understanding (MoU) was executed by the four Accountability Offices. This MoU became the charter document supporting co-ordination and co-operation between the four Accountability Offices in advancing City matters of public interest and importance. Under the umbrella of the MoU, the four offices share information and support each other where appropriate, while maintaining independent carriage of their individual mandates under COTA (*City of Toronto Act, 2006*). The MoU enables the Accountability Officers to transparently and effectively share information and support each other in the public interest. Each of the four Accountability Offices makes the MoU available to the public via their respective websites.

Support from the OLR Stakeholder Community

Since its adoption by Council in 2007, the By-law and Registry have successfully delivered transparency with the contributions and ongoing support of its many stakeholders. The OLR wishes to acknowledge the commitment to lobbying transparency demonstrated by its broad stakeholder community. The City Clerk has extended ongoing administrative, financial and information technology services, including assistance with OLR budget submissions and the SOGR for the modernization of the Registry. The City Solicitor has provided legal advice, conducted prosecutions on the OLR's behalf and worked with the OLR and the City Manager to expand the By-law with new provisions. Working together, the City Manager, City Solicitor and fellow Accountability Officers have all collaborated to enhance the City's accountability framework. Lastly, City Council, POHs, lobbyists, members of the public and the media have played important roles in ensuring the success of the OLR's mandate in providing transparency and accountability in City government decision-making processes.

Looking Towards the Future

Having attained the important milestone of ten years of lobbying regulation, the OLR looks towards the future with enthusiasm. The continuation of our collaboration with all stakeholders will secure ongoing compliance and continue to further the City's goals for nurturing a strong ethical culture. Because the requirements of the By-law are well-established, I am confident that there will be ongoing adherence to its provisions by lobbyists. I look forward to working with the City Manager, City Solicitor and Council to ensure the By-law provisions continue to improve. Through the revitalization in 2018 of the online Registry (with the completion of the SOGR), I am anticipating that the public, lobbyists and all City stakeholders will benefit from a more fluid registration experience

and an accurate, easily searchable Registry. The OLR will continue to apply its resources in a fair, accessible, timely manner to effectively review and approve registrations, conduct inquiries and investigations and enforce the By-law.

I will continue to work collaboratively with the other Accountability Officers, City Manager, City Solicitor and Council in order that the OLR remains an integral part of the City's accountability framework. Lastly, I will continue to work with lobbyists, POHs, members of the public, and the OLR's municipal, provincial, federal and international peers in lobbying regulation to ensure the Toronto lobbying system of regulation remains the most sophisticated in Canada.

Report on Activities in 2017

Reports to Council on Inquiries

Under s.169 of *City of Toronto Act, 2006* (COTA) and s. 3-7 of the Toronto Municipal Code, the Registrar may make a public report to Council on an inquiry or investigation into whether the By-law has been breached. In 2017, the following report was submitted to Council:

- [Report on an Inquiry for Prohibited Communications on a Request for Quotation](#)

This report outlined the following:

- Chapter 140 of the Toronto Municipal Code, Lobbying (the "Lobbying By-law") requires lobbyists to register and report communications with public office holders about the procurement of goods, services or construction and awarding of a contract. However, the Lobbying By-law restricts communications during an active procurement to only those permitted by the City's procurement process. The Lobbying By-law, all relevant documents to the procurement, and the City's Procurement Policies clearly state this restriction. From the time the procurement is issued, through to the time of the award (the "Blackout Period"), communications regarding the procurement are restricted to the procurement's official point of contact (the "City Contact"). During the Blackout Period, communications with any public office holder, other than the City Contact, are contraventions of the Lobbying By-law. Compliance with the Lobbying By-law, and all relevant procurement rules is required to preserve both, lobbying transparency and the integrity of the City's procurement processes.

Interpretation Bulletins and Advice

Through s. 169 of COTA, and Chapter 140 of the Toronto Municipal Code, the Registrar may provide interpretations pertaining to the administration, application and enforcement of the By-law. In 2017, the following [Interpretations Bulletins](#) were released:

1. Employee and Labour Groups
2. Lobbyists' Code of Conduct

The following [Interpretations Bulletins](#) were revised:

1. Improper Influence: Avoiding Impropriety, Conflict of Interest and Improper Benefits
2. Lobbying and Donations to Council Member-Organized Community Events (Joint Interpretation Bulletin – Integrity Commissioner, Lobbyist Registrar and City Clerk)
3. Lobbying during Transition Period from Election Day to Beginning of New Term of Council
4. Negotiating Settlements and Claims
5. Pre-Registration and Post-Registration Requirements
6. Toronto Association of Business Improvement Areas (TABIA)
7. When Must a Client of a Consultant Lobbyist Register?

The OLR also provided POHs, lobbyists and members of the public with advice and interpretation of the By-law in the following ways: in-person, by telephone, by mail and by email. OLR staff provided information about:

- Registrations;
- Searching the Registry;
- Requirements for registration;
- Lobbyists' Code of Conduct;
- Status of unions, broader public sector and not-for-profit organizations;
- Conduct of lobbyists at charitable and civic events;
- Lobbying by former senior POHs;
- Grass-roots communications;
- Avoiding the placing of POHs in a conflict of interest;
- Gifts and favours;
- Lobbying by former municipal election campaign team members; and
- Procurements.

Information about the application of the By-law with respect to many of these subjects is available in [Interpretation Bulletins](#) on the OLR website.

Changes to the Regulatory Framework

New Enhancements to the Lobbying By-law

In 2017, Bill 68 was passed by the Ontario government. The Bill granted Council's request to amend COTA to expand the range of sanctions to ensure compliance with the By-law. The new municipal authorities under Bill 68 include:

- Extension of the limitation period for investigations of *Provincial Offences Act* (POA) charges under the City's Lobbying By-law from six months to two years; and
- Authority to impose administrative sanctions, including administrative monetary penalties, for a range of offences.

In 2017, in order to implement the new enhancements to the Registrar's enforcement powers, Council approved the following change to the By-law:

- The time limit for investigations of POA charges under the City's Lobbying By-law was extended from six months to two years.

This important addition to the OLR's enforcement powers reflect Council's commitment to ensuring proper disclosure of lobbying activities and adhering to the Code of Conduct. Council's expansion of the Registrar's enforcement tools will provide a broader range of enforcement measures from minor or incidental infractions to more punitive measures for serious, repetitive or egregious contraventions of the By-law.

Council also supported the addition of the use of administrative monetary penalties as sanctions. Together with the Offices of the City Solicitor and City Manager, the OLR began to review the policy and operational elements required to incorporate administrative monetary penalties into the range of penalties available. Once this new enforcement tool is put in place, Toronto's OLR will have the most comprehensive range of penalties available to a lobbying regulator anywhere in Canada. In the future, enforcement measures will include: terms and conditions imposed by the Registrar, bans, provincial prosecutions, and administrative monetary penalties.

The Registrar uses various strategies to require and enforce compliance with the By-law, including advice and training, reports to Council and prosecutions under the POA. These new enforcement tools will be added to the spectrum of strategies utilized in the public interest, on an escalating scale depending on the facts of the case and the seriousness of the breach.

Open Data

The Registry is available in Open Data. Data from the Registry is available in machine-readable format on the [City's Open Data](http://www.toronto.ca/open) website at www.toronto.ca/open.

Transparency is enhanced when data is made open to the public through Open Data. The availability of the Registry in Open Data contributes to the City's strategic initiatives that support civic engagement and open government.

OLR staff participated in and provided input to City Staff through the stakeholder consultations and meetings that were hosted as part of the creation of the City's Open Data Masterplan.

Improvement to the Online Registry through the State of Good Repair Project (SOGR)

In 2017, the OLR continued its work on the completion of the SOGR for the improvement of the online Registry and its search mechanisms. The SOGR's main objective is to upgrade the existing technology that drives the Registry. The SOGR was approved by Council in March 2015, and is scheduled for completion in 2018. In 2017, OLR staff worked in collaboration and in consultation with City Clerk's Office Business and Technology Planning Unit (City Clerk's IT) to move the SOGR forward. Stakeholder consultation sessions were hosted via webinar and in person to obtain input from POHs, lobbyists, media and the public to ensure the SOGR improvements met the needs of its users and the By-law's requirements.

Once completed, the SOGR will guarantee that the Registry will continue to function, comply with statutory obligations, meet requirements of users, and conform to City and industry technological standards. With the Registry's improved search capabilities, the public will be able to access the Registry's information more effectively. The addition of a mobile interface will enhance the user experience and improve accessibility. The SOGR is fundamental to the OLR mandate because it will ensure the Registry meets the demands of ever-changing new technologies and high standards for data integrity. Its completion will also help to prevent undue delays in registration and reporting. The completion of the SOGR will ensure that the Registry will continue to deliver the transparency and accuracy required by the By-law.

Special thank you to all staff and contributors from the OLR and City Clerk's IT for their dedication and commitment to the SOGR.

Staff

The staff of the OLR is a team of eight.

In addition to the Registrar, the OLR is staffed by three Lobbyist Registry Advisors, Inquiries and Investigations Counsel, a Lobbyist Compliance Investigator, and two Administrative Assistants.

Lobbyist Registry Advisors provide advice and interpretation; maintain the Registry; review, verify and approve registrations and updates; monitor compliance with registration and reporting requirements; develop and deliver information, training, and outreach programs and materials; and participate in the OLR's website projects.

Inquiries and Investigations Counsel provides advice on compliance issues; conducts assessments, inquiries and investigations on behalf of the Registrar; and develops policies and procedures to support OLR assessment, inquiry and investigation processes. The Lobbyist Compliance Investigator assists Inquiries and Investigations Counsel in these functions.

Two Administrative Assistants provide administrative support and assistance to the Registrar, Lobbyist Registry Advisors, and Inquiries and Investigations staff.

The OLR staff are engaged in continuous learning and sharing best practices in regulation, adjudication and professional ethics. OLR staff attended professional development provided by: The Law Society of Ontario (LSO), Canadian Bar Association (CBA), Society of Ontario Adjudicators and Regulators (SOAR)/Osgoode Professional Development, Transparency International (TI), Council on Governmental Ethics Laws (COGEL), Ombudsman Ontario, University of Toronto, Council on Licensure, Enforcement and Regulation (CLEAR), and Ethics Practitioners' Association of Canada (EPAC).

The OLR staff renewed its commitment to public service accountability by participating in a Team Building Workshop. The OLR staff team affirmed its goals for providing stewardship for transparent lobbying by:

- Ensuring and enforcing the Code of Conduct for lobbying in the City of Toronto;
- Facilitating By-law compliance through advice, training and outreach;
- Participating in the SOGR planning and redevelopment of the Registry's technology platform;
- Developing and maintaining an accurate, reliable online searchable Registry;
- Investigating and reporting on breaches of the By-law; and
- Applying extensive and unique experience and knowledge in regulating lobbying.

Registry Services

Registration Statistics

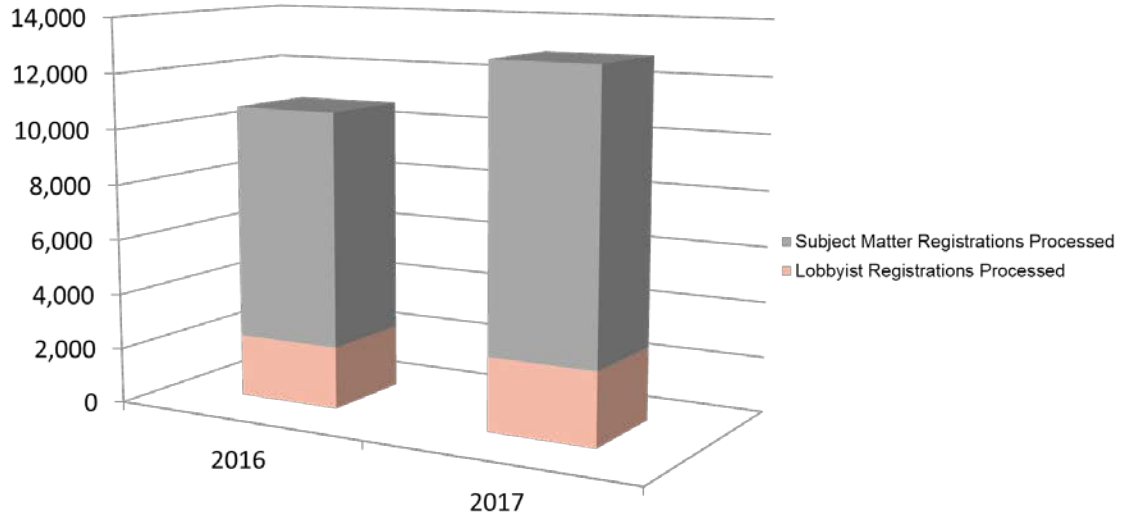
In 2017, 2,644 lobbyist registrations were processed and 10,184 subject matter registrations were processed. The total registration transactions processed in 2017 was 12,828. The number of registered lobbyists at year-end was 1,729; and the active subject matter registrations at year-end was 2,679. See Table 1, below.

TABLE 1
Comparing Registration Activity in 2016 and 2017

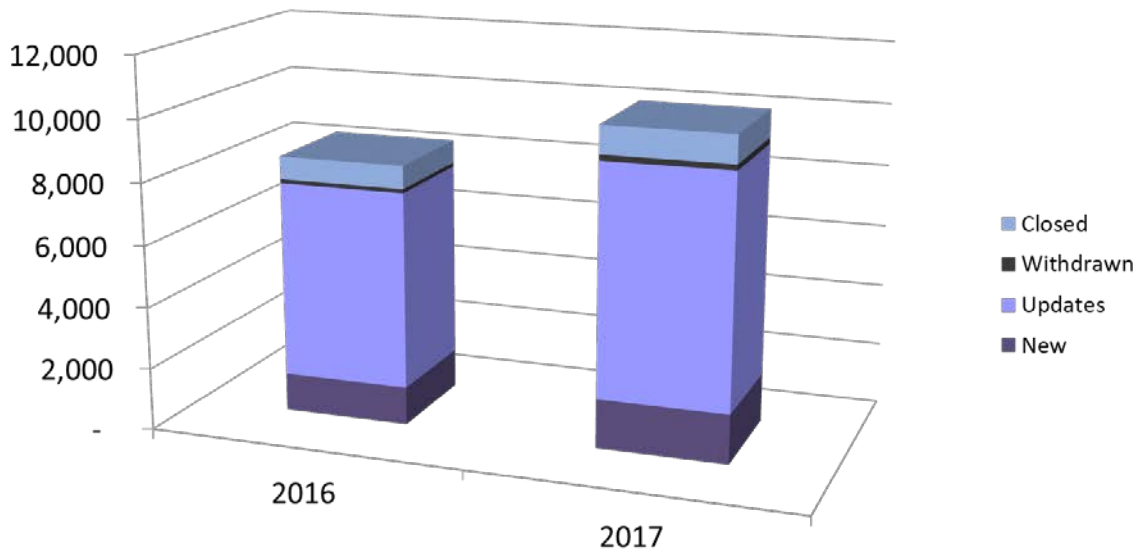
Registraton Activity	2016	2017	Variance	
Lobbyist Registration Transactions				
New Lobbyists Submitted	614	751	137	22%
Lobbyist Updates Submitted	1,361	1,592	231	17%
Lobbyist Registrations Closed	276	301	25	9%
<i>Lobbyist Registrations Processed</i>	<i>2,251</i>	<i>2,644</i>	<i>393</i>	<i>17%</i>
Subject Matter Registration Transactions				
New Subject Matters Submitted	1,236	1,588	352	28%
Subject Matter Updates Submitted (reports of lobbying activities)	6,351	7,509	1,158	18%
Subject Matters Withdrawn	130	192	62	48%
Subject Matters Closed	746	895	149	20%
<i>Subject Matter Registrations Processed</i>	<i>8,463</i>	<i>10,184</i>	<i>1,721</i>	<i>20%</i>
TOTAL Registration Transactions Processed	10,714	12,828	2,114	20%
Active Registrations at December 31				
Active Lobbyists	1,467	1,729	262	18%
Active Subject Matters	2,278	2,679	401	18%

Since 2016, the number of registration transactions processed annually by our office has increased by 20% (from 10,714, to 12,828 in 2017); the number of registered lobbyists has increased by 18% (from 1,467, to 1,729 in 2017); the number of active subject matters has also increased by 18% (from 2,278, to 2,679 in 2017).

Registration Transactions Processed



Subject Matter Registrations Processed



Lobbyist Registrations Processed

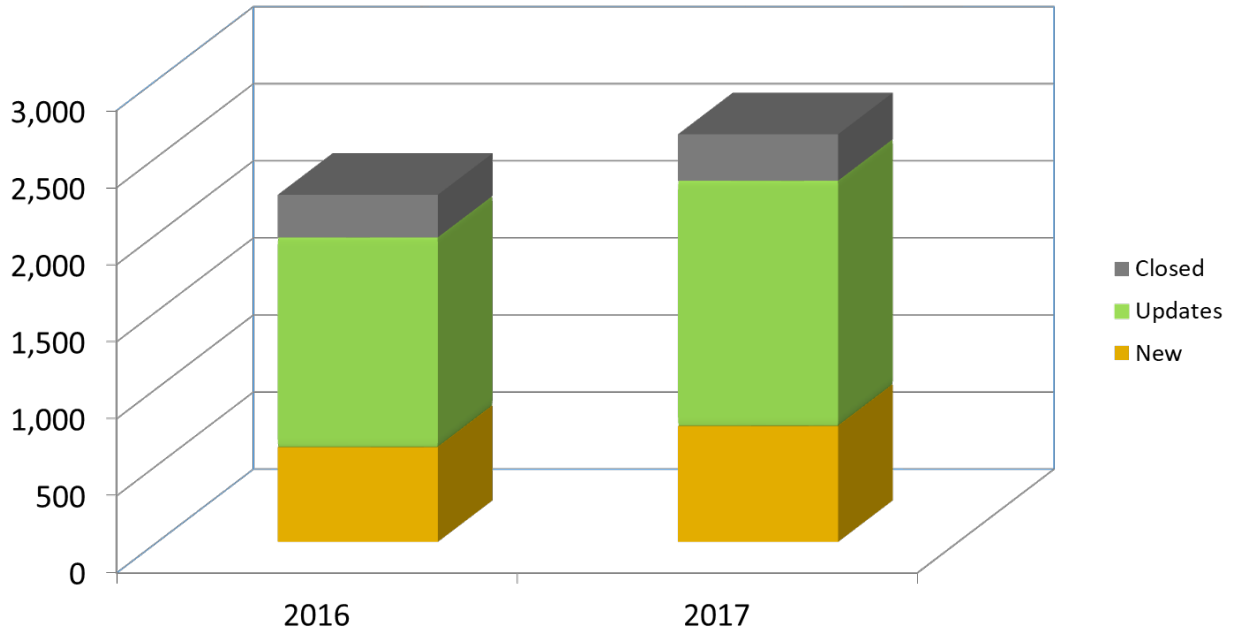
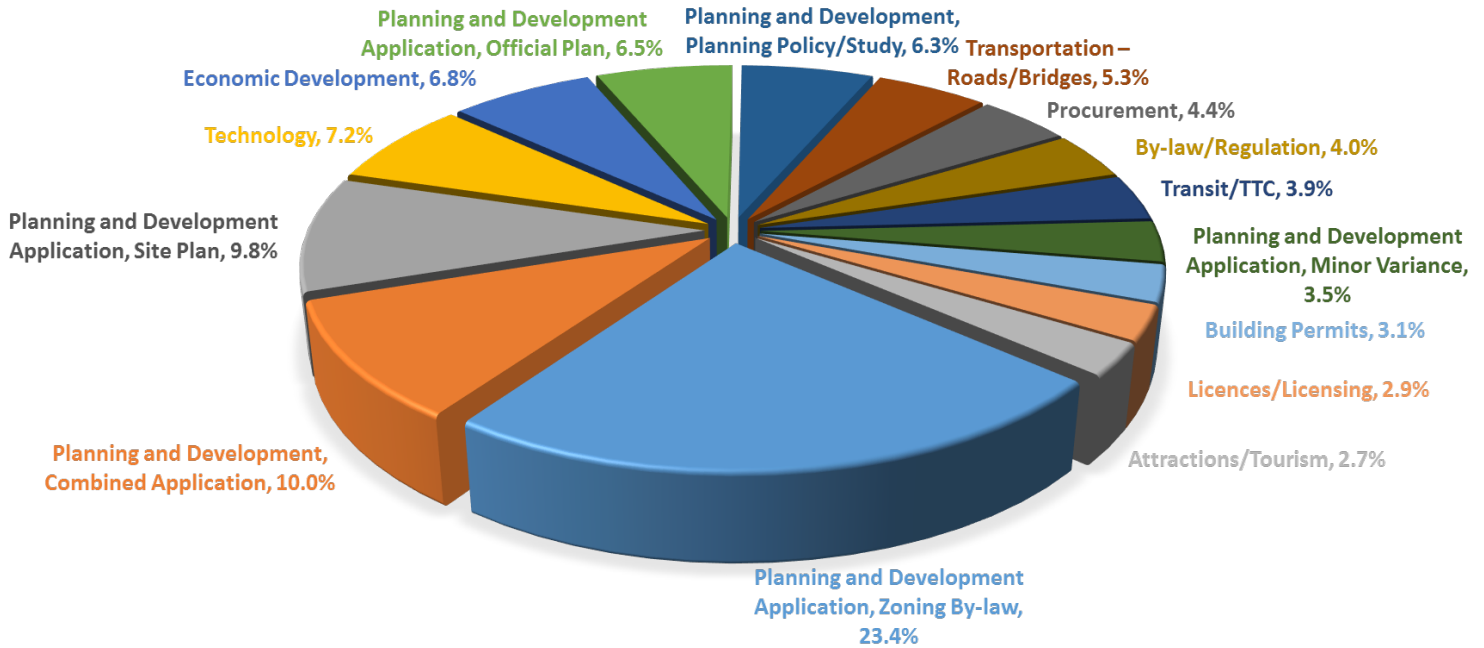


TABLE 2
Top 15 Registered Subject Matters

This table lists the 15 most frequently registered subject matters as of December 31, 2017:

Rank	Subject Matter Category	No. of Active Registrations
1	Planning and Development Application, Zoning By-law	725
2	Planning and Development, Combined Application	311
3	Planning and Development Application, Site Plan	303
4	Technology	222
5	Economic Development	212
6	Planning and Development Application, Official Plan	202
7	Planning and Development, Planning Policy/Study	195
8	Transportation – Roads/Bridges	164
9	Procurement	137
10	By-law/Regulation	124
11	Transit/TTC	121
12	Planning and Development Application, Minor Variance	107
13	Building Permits	96
14	Licences/Licensing	91
15	Attractions/Tourism	85

Top 15 Registered Subject Matters



Website

In 2017, there were 20,415 visits to the OLR public website, compared with 18,619 visits in 2016 – an increase of 10%; and 6,677 visits to the Registry Search webpage, compared with 5,927 visits in 2016 – an increase of 13%. See Table 3 below.

TABLE 3
Comparing Website Visits in 2016 and 2017

Website Visits	2016	2017
OLR Public Website Visits	18,619	20,415
Registry Search Webpage Visits	5,927	6,677

The OLR works continuously to make the OLR website as accessible and informative as possible. In addition to the Registry, the website provides a wealth of information to the public, POHs and lobbyists, including:

- The Lobbying By-law;
- An online registration tutorial;

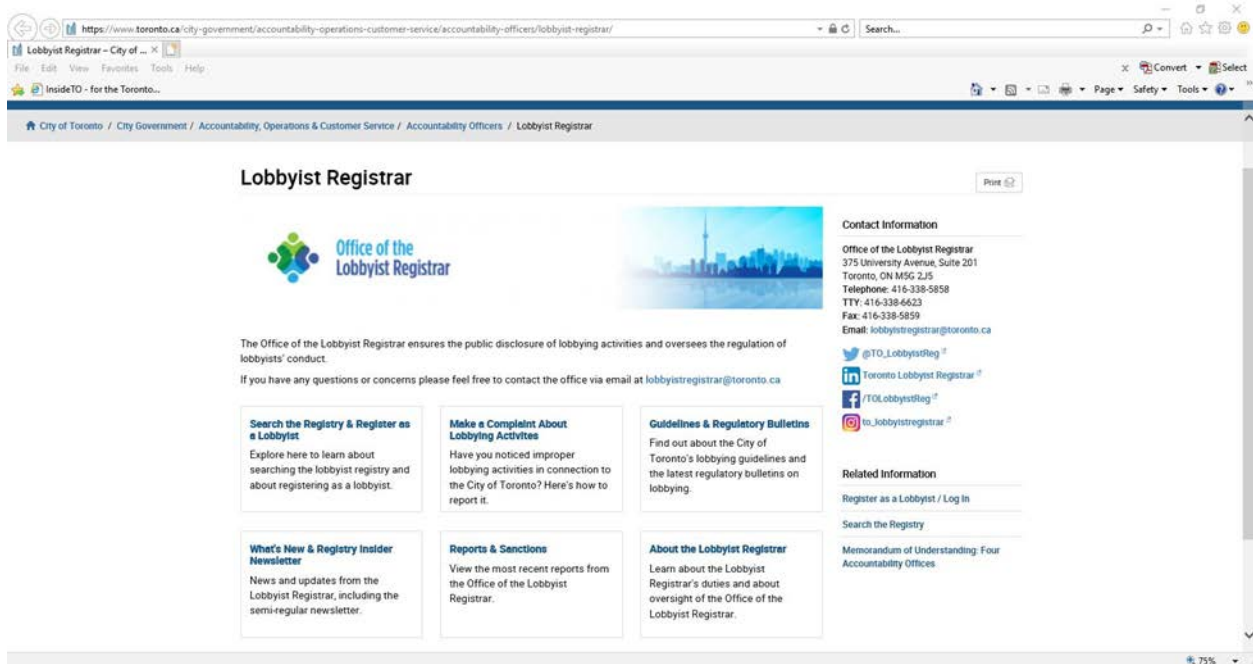
- An online newsletter, The Registry Insider;
- FAQs;
- Interpretation Bulletins;
- Reports on inquiries and investigations;
- Annual Reports;
- Expense Reports;
- Links to the sites of other Accountability Officers; and
- Information about how to contact OLR for more information and advice.

In order to ensure the website information is easily accessible, searchable, and well indexed, in 2017, the OLR completed these three important enhancements to its web presence:

1. Created a new logo and visual identity in early 2017 for the OLR;



2. Updated the content and layout of the OLR website in March. And later in May, launched a new website in collaboration with City staff as part of the City's Web Revitalization Project; and
3. Developed new online tools including flowcharts and [interactive questionnaires](#) to expand the variety of information materials.



The OLR maintains several social media accounts, where information is posted about the By-law, Interpretation Bulletins, Reports to Council, upcoming training sessions, and best practices in government ethics and lobbying regulation. In 2017, the OLR enhanced its use of social media as an outlet for news and information by expanding its presence to include all four of these platforms: LinkedIn, Facebook, Twitter and Instagram.

The OLR maintains and administers the Registry online at www.toronto.ca/lobbying. The Registry meets the requirements of s. 165 of COTA, that the City maintain a Registry of persons who lobby POHs, and that this Registry be available for public inspection.

Inquiries and Investigations

In 2017, 12 new assessments were conducted; 7 new inquiries were opened (4 were carried forward from 2016) and 3 inquiries were completed. Of the 3 completed inquiries, all were substantiated and 1 resulted in a report to Council. Other actions taken included: providing advice and training, accepting apologies, securing commitments to comply, and permitting the filing of late registrations or updates.

The Registrar is responsible for conducting, in private, inquiries or investigations¹ to determine whether contraventions of the By-law have occurred. When the OLR receives a report of a potential contravention of the By-law, Inquiries and Investigations staff conduct an assessment to determine whether it is necessary to conduct an inquiry. Often, the matter can be resolved quickly at the assessment stage. If there is sufficient evidence to indicate a potential contravention of the By-law, and it is not appropriate to resolve the matter less formally (for example, by permitting a late registration), the Registrar may authorize an inquiry to be conducted. Inquiries and Investigations staff conduct the inquiry in the strictest confidence, in accordance with the requirements of COTA. OLR [Compliance Inquiry Procedures](#) are found at www.toronto.ca/lobbying. If in the course of an inquiry the Registrar forms the opinion that there may have been a breach of another law, for example a breach of the Criminal Code, she must suspend the inquiry and refer the matter to the authorities.

An assessment or inquiry may be commenced as a result of a request of Council, a member of Council or their staff, an Accountability Officer, a member of the public, or a lobbyist. Assessments and inquiries may also be initiated by the OLR, based upon information in the Registry or received through other sources such as the media.

¹The term “inquiries” includes “investigations”.

TABLE 4
Source of Information or Request for Inquiry

This table shows the source of requests for the 12 new assessments and 7 new inquiries in 2017:

Source of Requests	New Assessments	New Inquiries
Member of Council or their staff	4	0
City staff	4	3
OLR	1	1
Other Accountability Offices	2	2
Member of the Public	1	1

TABLE 5
Assessments, Inquiries and Report to Council

The following table shows the assessments, inquiries and report to Council in 2017:

Assessments, Inquiries and Report to Council	2017
Assessments (new)	12
(completed)	8
Inquiries (new)	7
(completed)	3
(carried over to 2018)	8
Report to Council on Inquiries	1

The average age of file at completion of investigation was 25 weeks.

The average age of carried forward files was 45 weeks.

TABLE 6
Outcomes of Completed Assessments

This table shows the outcomes of the 8 preliminary assessments completed in 2017:

Outcomes of the Preliminary Assessments	Completed Assessments
Inquiry Files Opened	7
No Further Action Taken	1

TABLE 7
Outcomes of Completed Investigations

This table shows the outcomes of the 3 investigations completed in 2017:

Outcomes of Investigations Completed	Completed Investigations
Breach of the Lobbying By-law substantiated	3
Breach of the Lobbying By-law not substantiated	0

TABLE 8
Resolutions for Substantiated Files

This table shows the resolutions for the 3 substantiated files in 2017:

Resolutions	Substantiated Files
Advice Given	1
Lobbyist Training Requested	1
Apology Provided	1
Commitment to Comply	2
Late Registration or Update Permitted	1
Report to Council	1

TABLE 9
Contraventions of Lobbying By-law

For the 3 substantiated inquiries in 2017, the table below shows the sections of the By-law found to be contravened:

Sections of the Lobbying By-law	No. of Contraventions
140-10 Registration requirement. (Unregistered lobbying)	2
140-41A Compliance with policies restricting communication. (Lobbying in relation to a procurement process)	1

Education and Outreach to All Stakeholders

A key function of the OLR is to provide education and outreach to POHs, the public and lobbyists about the By-law and Registry. Promoting awareness of the By-law and lobbyist registration system is important for effective regulation. Engaging in educational activities about the By-law's application encourages best practices and helps to nurture a vibrant ethical culture.

In 2017, the OLR engaged in numerous outreach activities, which included:

- Published four [newsletters](#) in 2017, which are posted on the OLR website at www.toronto.ca/lobbying;
- Used internet based tools to disseminate news about the Registry and the By-law, such as: email communications, regular updates to OLR website, and use of social media accounts. A total of 3,186 mandate specific posts were shared on social media in 2017;
- Conducted 14 in-house training sessions for lobbyists and members of the public in 2017, of which 3 sessions were delivered by webinar, with 245 people attending in total;
- Provided advice and interpretation of the By-law through personal meetings, email and telephone communication;
- Distributed OLR printed information materials to POHs, including councillors and their staff, City staff and board and agency members. The materials

remind lobbyists to register and report their communications with POHs, and inform lobbyists how to contact the OLR;

- Conducted outreach sessions for POHs, including 60 meetings and 22 presentations for City employees, 51 meetings with members of Council and their staff, providing information about the By-law and lobbying registration system to approximately 500 POHs;
- Supported City staff at the Social Procurement Program: Networking with Diverse Suppliers Event, by providing information and educational materials to potential vendors, and POHs from various City Divisions;
- Delivered 6 presentations to external organizations including: lobbying firms, Public Affairs Association of Canada (PAAC), Institute of Transportation Engineers, France foreign delegation, and York University – with a total of 102 people attending;
- Provided information about the By-law and registration system to governments offices and ethics professionals from other jurisdictions, including: the Lobbyist Registrars and Commissioners Network, Commissioner of Lobbying of Canada, Office of the Ontario Integrity Commissioner, Municipal Integrity Commissioners of Ontario, Secretary of the Cabinet and Head of the Ontario Public Service, Office of Ontario Ombudsman, Ontario Conflict of Interest Commissioner, and Cities of Hamilton, Ottawa and Vaughan;
- Shared information and best practices regarding emerging trends in government ethics and lobbying regulation across Canada and internationally with many organizations and governments including: Members of Lobbyist Registrars and Commissioners Network (LRCN), Council on Governmental Ethics Laws (COGEL) and Transparency International (TI). The annual international COGEL conference was held in Toronto in 2017, where the Registrar presented on developments in municipal regulation of lobbying activity in Canada, and Inquiries and Investigations Counsel presented on enforcement trends in lobbying regulation; and
- Worked collaboratively with other Accountability Offices and City Divisions to implement the accountability framework established in Chapter 3 of the Toronto Municipal Code.

Office of the Lobbyist Registrar Budget

In accordance with Chapter 3 of the Toronto Municipal Code, the Registrar submits the OLR Operating and Capital Budget requests directly to Budget Committee for consideration and recommendation to Council.

On February 15 and 16, 2017, Council approved the OLR Operating Budget request for the year 2017 of \$1,154.0 thousand net. Council also approved the OLR's Capital Budget and Plan of \$0.871 million over the period from 2017 to 2026 for Lobbyist Registry State of Good Repair (SOGR). The State of Good Repair project commenced in 2015. Project implementation is in progress with project completion expected in 2018. For information about SOGR, please see "Improvement to the Online Registry through the State of Good Repair Project (SOGR)" on page 13.

Financial Information

OLR business, travel and PCard expenses are posted on the [Expense Disclosure](#) page of the [OLR website](#).

Each year, the OLR undergoes an external compliance audit and is part of the City's annual attest audit. These audits are required under Chapter 3 of the Toronto Municipal Code to be conducted annually by independent auditors and are reported directly to Council. [The external compliance audit report for the year 2016 was adopted by Council on July 4, 5, 6 and 7, 2017. The independent auditor found the OLR to be compliant with the City's applicable policies, procedures and delegated authorities.](#) The compliance audit for the year 2017 is not yet available.

This report is made in the public interest.

Respectfully Submitted,

Cristina De Caprio
Lobbyist Registrar
City of Toronto